

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROCEP LUSOL HOLDINGS LIMITED,)	
)	
Plaintiff/Counterclaim Defendant,)	
)	
v.)	Civil Action No. 05-141-KAJ
)	
PERMATEX, INC., and ULTRAMOTIVE)	
CORPORATION,)	
)	
Defendants/Counterclaimants.)	

**APPENDIX FOR
PLAINTIFF ROCEP LUSOL HOLDINGS LIMITED'S BRIEF
IN REPLY TO DEFENDANT'S ANSWER TO PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT OF INFRINGEMENT**

Respectfully submitted,

ROCEP LUSOL HOLDINGS LIMITED

Dated: August 4, 2006

/s/ David P. Primack
DAVID P. PRIMACK (#4449)
Drinker Biddle & Reath LLP
1100 North Market Street, Suite 1000
Wilmington, DE 19801-1254
Tel: 302-467-4224
Fax: 302-467-4201

ROBERT E. CANNUSCIO
Drinker Biddle & Reath LLP
One Logan Square, 18th & Cherry Streets
Philadelphia, PA 19103-6996
Tel: (215) 988-3303
Fax: (215) 988-2757

Attorneys for
ROCEP LUSOL HOLDINGS LIMITED

TABLE OF CONTENTS

Exhibit L	Declaration of Robert Cannuscio
Exhibit M	Photographs of Accused Product

EXHIBIT L

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROCEP LUSOL HOLDINGS LIMITED,)	
)	
Plaintiff/Counterclaim Defendant,)	
)	
v.)	Civil Action No. 05-141-KAJ
)	
PERMATEX, INC., and ULTRAMOTIVE)	
CORPORATION,)	
)	
Defendants/Counterclaimants.)	

DECLARATION OF ROBERT CANNUSCIO

Pursuant to 28 U.S.C. § 1746, I, Robert Cannuscio, do affirm and declare as follows:

I am a partner of Drinker Biddle & Reath LLP, counsel for the Plaintiff Rocep Lusol Holdings Limited, and I make this Declaration in support of Plaintiff Rocep Lusol Holdings Limited's Brief in Reply to Defendant's Answer to Plaintiff's Motion for Summary Judgment of Infringement.

1. On June 13, 2006, I purchased six (6) Permatex Powerbead products, which are the Accused Products in the present lawsuit, from Midway Auto Supply, an on-line retailer of automobile products (www.midwayautosupply.com).

Attachment 1 is a true and correct copy of the Invoice for the order.

2. On June 15, 2006, I received the Accused Products. Attachment 2 is a true and correct copy of the UPS label from the package. The label indicates that the package was shipped from Midway Auto Supply Inc. and includes a tracking number.

3. Attachment 3 is a true and correct copy of the UPS tracking information showing that the package was sent on June 13, 2006 and received on June 15, 2006.

4. Shortly after receipt of the products, I took the photographs of two of the products that are included as Exhibit C in Rocep's Appendix for Plaintiff Rocep Lusol Holdings Limited's Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment of Infringement of the Claims in U.S. 6,685,064. True and correct copies of the photographs I took are included in Exhibit C.

5. On January 25, 2006, I purchased a Permatex Right-Stuff PowerBead 7.5 ounce Gasket Maker product from PepBoys Auto in West Chester, Pennsylvania. Attachment 4 is a true and correct copy of the receipt for the purchase.

6. On August 2, 2006, I took photographs of the Permatex Right-Stuff PowerBead product that is referred to in the previous paragraph. The photographs show the dispensing of contents of the product from the Right-Stuff Powerbead container when the valve is open and the nozzle is tilted. Exhibit M of Plaintiff Rocep Lusol Holdings Limited's Brief In Reply To Defendant's Answer To Plaintiff's Motion For Summary Judgment Of Infringement includes true and correct copies of the photographs that I took.

I hereby declare under the penalties of perjury that the above is true and correct.

Executed on the 4th day of August 2006.


Robert Cannuscio

ATTACHMENT 1



Midway Auto Supply
is a proud member

Print

THE SOURCE FOR ALL YOUR CAR CARE NEEDS

INVOICES | Midway | Amazon

Invoice

Midway Auto Supply

P.O. Box 4415
Dallas, Texas 75208
1-866-MIDWAY-1

Invoice: #MAS-152194

06/13/2006 12:24:00 PM

Billing Information:

Robert Cannuscio
710 Chelsea Circle
West Chester, PA
US 19380
E-Mail: :
Phone: 215-988-3303

Shipping Information:

Robert Cannuscio
Drinker Biddle
One Logan Square, 18th & Cherry Streets
Philadelphia, PA
US 19103-6996

Credit Card Information

REDACTED

Manufacturer	Product Number	Product	Quantity	Unit Price	\$ Total
Permatex	PTX-85860	PowerBead Sensor-Safe Blue RTV Silicone Gasket Maker, 7.25 oz.	1	\$13.99	\$13.99
Permatex	PTX-85519	PowerBead Ultra Blue Multipurpose RTV Silicone Gasket Maker, 9.5 oz.	1	\$16.99	\$16.99
Permatex	PTX-85080	PowerBead Ultra Black Maximum Oil Resistance RTV Silicone Gasket Maker, 9.5 oz.	2	\$17.99	\$35.98
Permatex	PTX-85913	PowerBead Clear RTV Silicone Adhesive Sealant, 7.25 oz.	2	\$13.99	\$27.98

Sub-Total: \$94.94 Taxes: \$0.00 ***
Shipping \$9.95 (Ground) *2nd Day air.*
Rush \$0.00
Handling \$0.00
Grand Total \$104.89

Use the following link to **SAVE 5%** on your next order!
<http://www.midwayautosupply.com/?1016MAS>

ATTACHMENT 2

MIDWAY AUTO SUPPLY INC
(214) 943-4341
MIDWAY AUTO SUPPLY INC
1101 S. HAMPTON RD.
DALLAS TX 75208

6 LBS

1 OF 1

SHIP TO:

DRINKER BIDDLE
(215) 988-3303
ROBERT CANNUSCIO
ONE LOGAN SQUARE, 18TH & CHERRY STR
PHILADELPHIA PA 19103-6996



PA 191 9-05



UPS 2ND DAY AIR

2

TRACKING #: 1Z 762 197 02 6766 8871



BILLING: P/P

REF 1: MAS-152194

UOH 6.0.16 UPS Thermal 2 54.0A 04/2006

017689

ATTACHMENT 3



Home | About UPS | Contact UPS | Getting Started @ UPS.com

Search

UPS United States

Shipping Tracking Support Business Solutions

Tracking

Log-In User ID: Password: | Forgot Password

Register

→ Track by Tracking Number

→ Track by E-mail

→ Import Tracking

Numbers

→ Track by Reference Number

→ Track by Freight Tracking

Number

→ Track by Freight Shipment

Reference

→ Track with Quantum View

→ Sign Up for Signature

Tracking

→ Void a Shipment

→ Help

Track by Tracking Number

View Details

Status: Delivered
Delivered on: 06/15/2006 11:31 A.M.
Signed by: ELLIOTT
Location: MAIL ROOM
Delivered to: PHILADELPHIA, PA, US
Shipped or Billed on: 06/13/2006

Tracking Number: 1Z 762 197 02 6766 887 1
Service Type: 2ND DAY AIR
Weight: 5.30 Lbs

Package Progress:

Location	Date	Local Time	Activity
PHILADELPHIA, PA, US	06/15/2006	11:31 A.M.	DELIVERY
	06/15/2006	5:16 A.M.	OUT FOR DELIVERY
	06/15/2006	3:44 A.M.	ARRIVAL SCAN
	06/15/2006	3:21 A.M.	DEPARTURE SCAN
PHILADELPHIA, PA, US	06/14/2006	11:25 P.M.	ARRIVAL SCAN
NEWARK, NJ, US	06/14/2006	8:52 P.M.	DEPARTURE SCAN
	06/14/2006	7:43 P.M.	ARRIVAL SCAN
DALLAS/FT. WORTH A/P, TX, US	06/14/2006	3:12 P.M.	DEPARTURE SCAN
DALLAS/FT. WORTH A/P, TX, US	06/13/2006	10:48 P.M.	ARRIVAL SCAN
DALLAS, TX, US	06/13/2006	10:15 P.M.	DEPARTURE SCAN
	06/13/2006	8:29 P.M.	ORIGIN SCAN
US	06/13/2006	6:36 P.M.	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: 08/04/2006 11:15 A.M. Eastern Time (USA)

NOTICE: UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

← Back to Tracking Summary

L-8

[Home](#) | [Shipping](#) | [Tracking](#) | [Support](#) | [Business Solutions](#) | [About UPS](#) | [Contact UPS](#) | [Register](#) | [Getting Started](#) | [Site Guide](#) | [Advanced Search](#) |
[UPS Global](#) | [UPS Corporate](#)

Copyright © 1994-2006 United Parcel Service of America, Inc. All rights reserved.

[Web Site Terms of Use](#) | [Privacy Policy](#) | [Trademarks](#) | [Tariff](#) | [Terms and Conditions of Service](#)

L-9

ATTACHMENT 4



Pep Boys #26
711 E. GAY STREET
WEST CHESTER, PA 19380
(610)696-5339

01/25/2006 6:32:29 PM EST
Trans.: 031675 Store: 0026
Reg.: 102 Till:hea
Cashier: 051474

SALE



40Z RGHT STUFF TUBE	12.99 T
25223	1 @ 12.99
7.50Z GASKET MAKER	16.99 T
85224	1 @ 16.99
6.70Z BLUE SILICONE	8.99 T
0304	1 @ 8.99
Sub-Total	38.97
Tax	2.34
Total	41.31
Visa (S)	41.31
Account: 3286	
Auth: 03524B (A)	
Total Tender	41.31
Change Due	0.00

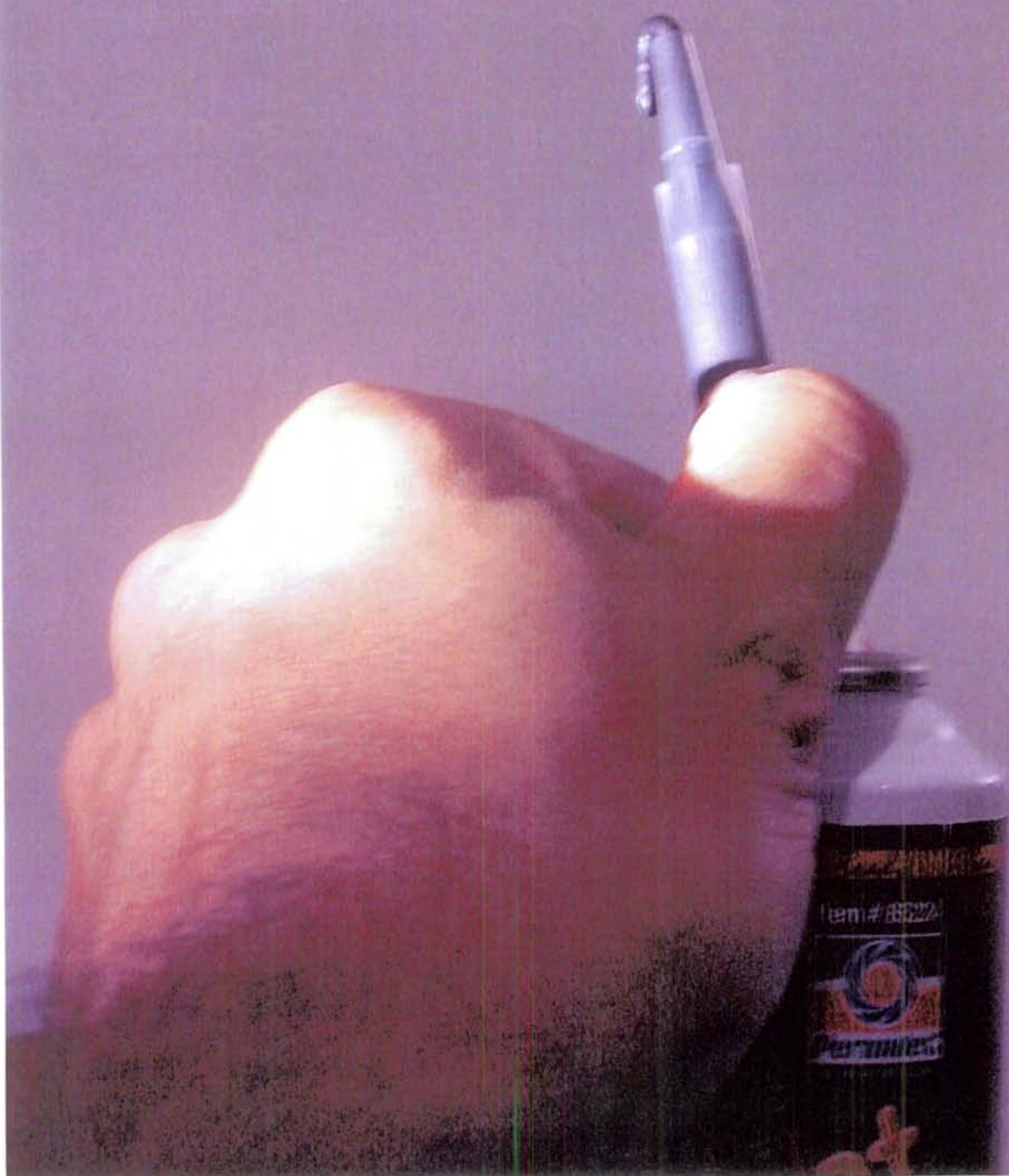
EXHIBIT M



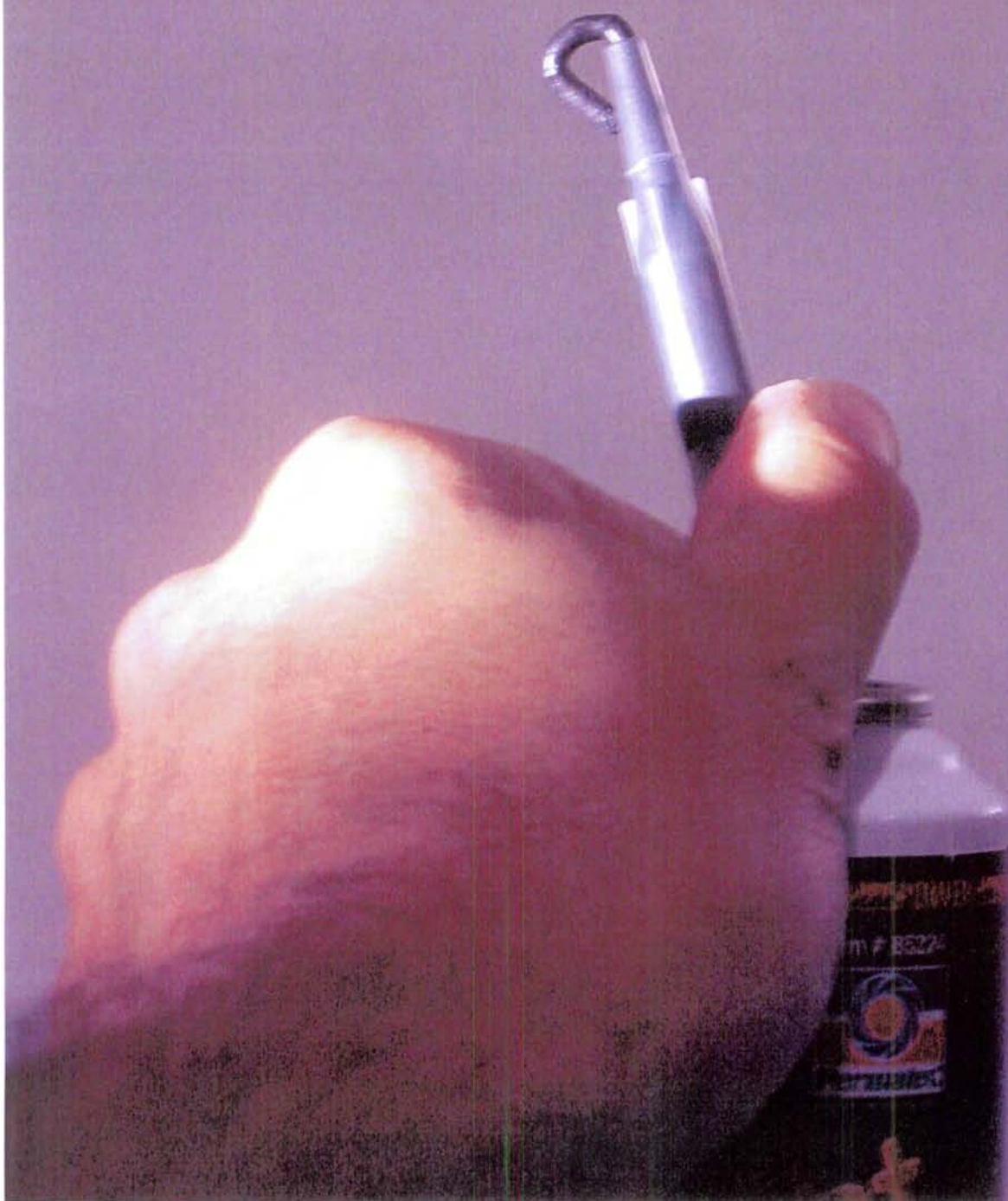
M-1



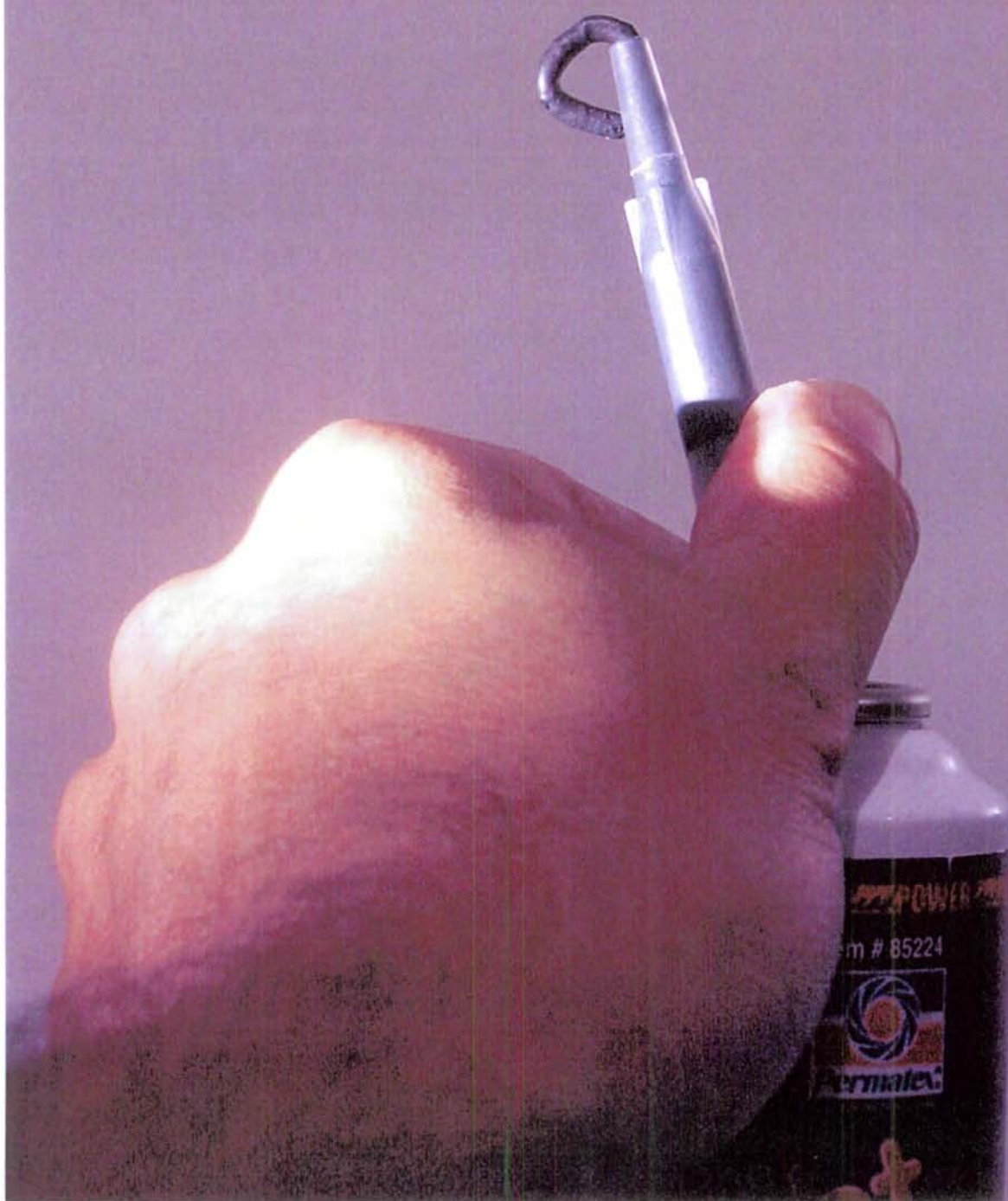
M-2



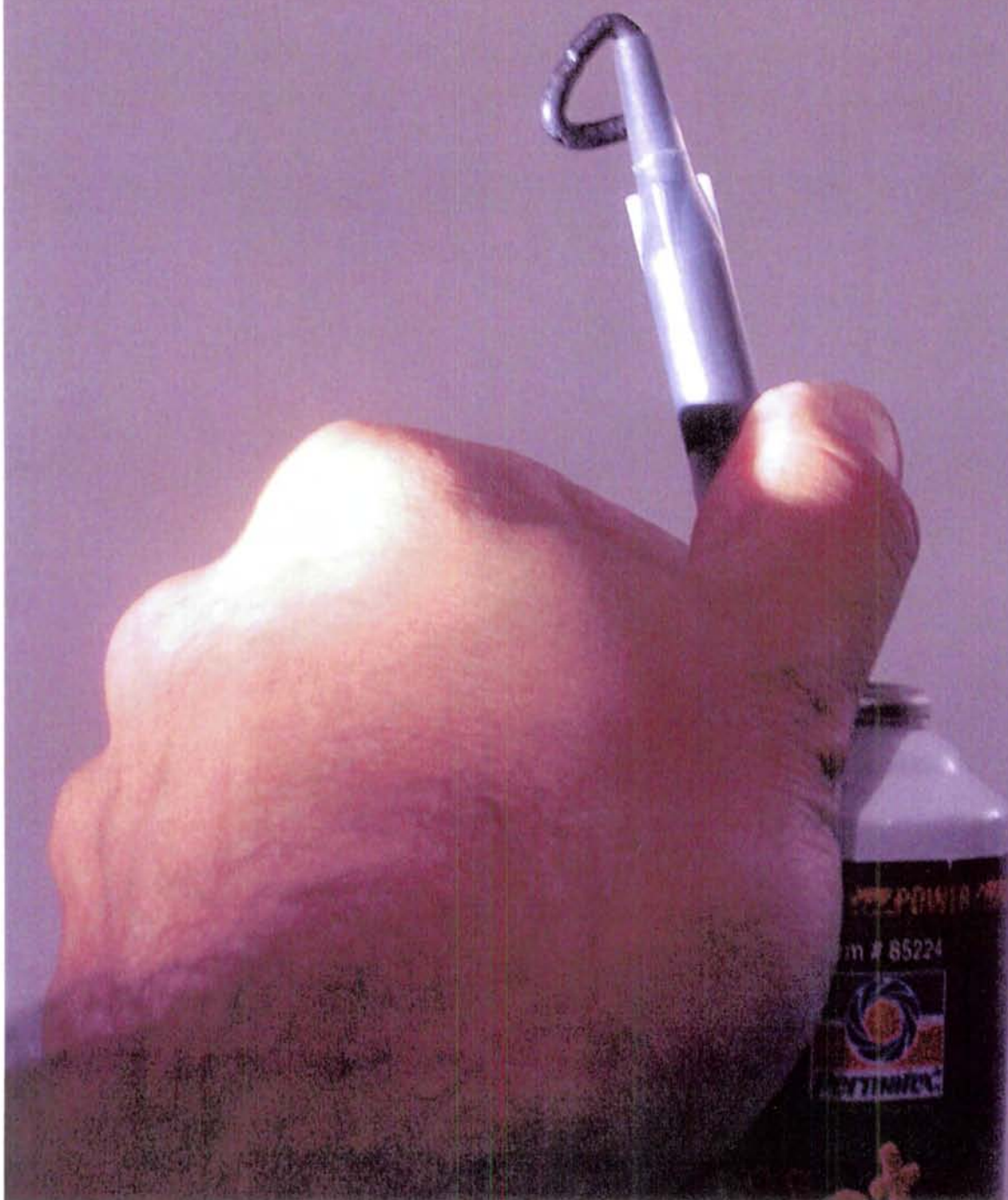
M-3



M-4



M-5



M-6

